



W2975564

E# 2975564 PG 1 OF 5
Leann H. Kiltz, WEBER COUNTY RECORDER
19-Apr-19 12:46 PM FEE \$22.00 DEP JC
REC FOR: COTTONWOOD TITLE INSURANCE AGENCY
ELECTRONICALLY RECORDED

RECORDING REQUESTED BY:
Mountain West Debt Fund, LP
c/o Taylor Derrick Capital, LLC
2298 W. Horizon Ridge Pkwy #213
Henderson, NV 89052
Loan # 825

APN: 08-029-0045, 08-034-0049, 08-034-0050, 08-034-0054, and 08-034-0003

BST

CT-109982

MODIFICATION OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT, AND FIXTURE FILING

THIS MODIFICATION OF DEED OF TRUST dated April 19, 2019, is made and executed between CW LAND CO., LLC, a Utah (the "Trustor" or "Borrower") and Mountain West Debt Fund, LP, whose address is 357 West 200 South #200, Salt Lake City, UT 84101 ("Lender").

Lender and Trustor have entered into a Deed of Trust, Security Agreement, Assignment of Leases and Rents and Fixture Filing dated August 31, 2018 and recorded in the office of the Weber County Recorder on September 6, 2018 as Entry Number 2940183 (the "Deed of Trust").

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Weber County, State of Utah:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

MODIFICATION. Lender and Borrower hereby modify the Deed of Trust to increase the secured amount of said Deed of Trust to THREE MILLION THREE HUNDRED THIRTEEN THOUSAND and 00/100 DOLLARS (\$3,313,000.00).

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the Secured Promissory Note secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any

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maker or endorser, including accommodation makers, if any, shall not be released by virtue of this Modification.

TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND TRUSTOR AGREES TO ITS TERMS.

THIS MODIFICATION OF DEED OF TRUST IS DATED April 19, 2019.

“LENDER”

MOUNTAIN WEST DEBT FUND, LP
a Delaware limited partnership

By: Taylor Derrick Capital, LLC
Its: General Partner



By: Andrew Menlove, Authorized Agent

STATE OF NEVADA }
 } ss.
COUNTY OF CLARK }

The foregoing instrument was ACKNOWLEDGED before me on this 18th day of April, 2019, by Andrew Menlove, Authorized Agent of Taylor Derrick Capital, LLC, a Utah limited liability company, General Partner of Mountain West Debt Fund, LP (Lender), a Delaware limited partnership.



Notary Public

 **KELLEY L DIXON**
Notary Public-State of Nevada
APPT. NO. 17-3278-1
My Appt. Expires 08-08-2021

"Borrower:

CW LAND CO., LLC
A Utah limited liability company

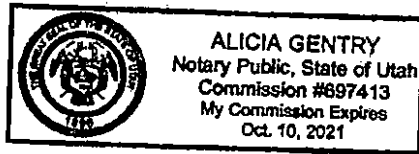
By: CW Group, LLC
Its: Manager



Colin H. Wright, Sole Member/Manager

STATE OF Utah }
 } }
COUNTY OF Davis }

The foregoing instrument was ACKNOWLEDGED before me on this 17 day of April 2019, by Colin H. Wright in his aforesated capacity.



Alicia Gentry
Notary Public

SCHEDULE A**PARCEL 1:** 08-029-0081 SPY

Commencing a point on the North right of way line of 4000 South Street (SR-37) as recently widened, said point being 71.06 feet North $00^{\circ}50'35''$ East along the section line and 1318.61 feet South $89^{\circ}09'25''$ East from the South quarter corner of Section 3, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running thence fifteen (15) courses along said North right of way line as follows: (1) North $89^{\circ}25'13''$ West 336.51 feet; (2) North $49^{\circ}27'20''$ West 37.49 feet; (3) North $89^{\circ}23'35''$ West 47.00 feet; (4) South $48^{\circ}36'23''$ West 45.45 feet; (5) North $89^{\circ}12'30''$ West 484.27 feet; (6) North $46^{\circ}05'08''$ West 38.57 feet; (7) North $88^{\circ}27'49''$ West 88.00 feet; (8) South $49^{\circ}07'46''$ West 38.58 feet; (9) North $88^{\circ}27'40''$ West 378.77 feet; (10) North $44^{\circ}48'02''$ West 43.10 feet; (11) North $00^{\circ}16'53''$ East 9.25 feet; (12) North $88^{\circ}27'49''$ West 35.00 feet; (13) South $00^{\circ}23'36''$ West 11.16 feet; (14) South $51^{\circ}30'06''$ West 47.99 feet; and (15) North $89^{\circ}19'02''$ West 240.39 feet to the Easterly line of the Layton Canal; thence three (3) courses along said Easterly line as follows: (1) North $00^{\circ}35'40''$ East 93.24 feet to a point of non-tangent curvature of which the radius point lies South $89^{\circ}24'09''$ East; (2) Northerly along the arc of a 150.00 foot radius curve to the right a distance of 99.83 feet (Central Angle equals $38^{\circ}07'54''$, and Long Chord bears North $19^{\circ}39'48''$ East 98.00 feet); and (3) North $38^{\circ}43'48''$ East 644.71 feet; thence South $50^{\circ}07'02''$ East 159.92 feet to a point of non-tangent curvature of which the radius point lies North $40^{\circ}00'00''$ East; thence Easterly along the arc of a 215.50 foot radius curve to the left a distance of 150.45 feet (Central Angle equals $40^{\circ}00'00''$, and Long Chord bears South $70^{\circ}00'00''$ East 147.41 feet); thence North $89^{\circ}59'24''$ East 656.97 feet to a point of non-tangent curvature of which the radius point lies South $00^{\circ}01'13''$ West; thence Southeasterly along the arc of an 88.11 foot radius curve to the right a distance of 138.43 feet (Central Angle equals $90^{\circ}00'46''$, and Long Chord bears South $44^{\circ}58'24''$ East 124.63 feet); thence South $00^{\circ}01'59''$ West 199.86 feet to a point of non-tangent curvature of which the radius point lies due East; thence Southeasterly along the arc of a 14.00 foot radius curve to the left a distance of 21.99 feet (Central Angle equals $90^{\circ}00'00''$, and Long Chord bears South $45^{\circ}00'00''$ East 19.80 feet); thence due South 11.00 feet; thence due East 343.31 feet; thence South $00^{\circ}50'53''$ West 244.17 feet to the point of beginning.

PARCEL 2: 08-034-0003, 0072, 0073 PT SPY

Commencing at a point on the Northwesterly line of the Layton Canal, said point being 358.17 feet North $00^{\circ}49'49''$ East along the section line and 491.72 feet North $89^{\circ}10'11''$ West from the South quarter corner of Section 3, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running thence South $38^{\circ}43'48''$ West 56.37 feet to a point of non-tangent curvature of which the radius point lies South $51^{\circ}16'14''$ East; thence Southerly along the arc of a 250.00 foot radius curve to the left a distance of 166.38 feet (Central Angle equals $38^{\circ}07'56''$, and Long Chord bears South $19^{\circ}39'48''$ West 163.33 feet); thence South $00^{\circ}35'48''$ West 94.41 feet; thence South $89^{\circ}36'48''$ West 539.63 feet; thence North $45^{\circ}52'59''$ West 32.75 feet; thence North $15^{\circ}05'23''$ East 15.52 feet; thence North $00^{\circ}10'02''$ East 89.54 feet to a point of curvature; thence Northeasterly along the arc of a 215.50 foot radius curve to the right a distance of 170.26 feet (Central Angle equals $45^{\circ}16'03''$,

and Long Chord bears North $22^{\circ}48'03''$ East 165.87 feet); thence North $49^{\circ}08'10''$ East 98.98 feet to a point of non-tangent curvature of which the radius point lies North $40^{\circ}33'32''$ West; thence Northeasterly along the arc of a 284.50 foot radius curve to the left a distance of 106.75 feet (Central Angle equals $21^{\circ}29'57''$, and Long Chord bears North $38^{\circ}41'29''$ East 106.13 feet); thence due East 220.27 feet; thence due South 132.00 feet; thence due East 224.29 feet to the point of beginning.

Parcel Identification Numbers: 08-029-0045, 08-034-0049, 08-034-0050, 08-034-0054 and 08-034-0003 (for reference purposes only)